REMARKS

Claims 30-42 presently appear in this case. No claims have yet been examined on the merits. Claims 30-42 have been subject to a unity of invention requirement and species election requirements. Reconsideration and withdrawal of the unity of invention requirement and prompt examination and allowance of all the claims now present in the case are respectfully urged.

The examiner states that the application contains a plurality of inventions that are not so linked as to form a single general inventive concept, and accordingly the examiner has required applicant to elect a single invention to which the claims must be restricted from among the following groups:

Group I, including claims 30-42, drawn to a method for treating a disease, disorder or condition by use of a nucleic acid encoding a pathogenic self-antigen;

Group II, including claims 30-42, drawn to a method for treating a disease, disorder or condition by using a pathogenic self-antigen, a peptide of said antigen, or a modified peptide of said antigen; and

Group III, including claims 30-42, drawn to a method for treating a disease, disorder or condition by use of a T-cell activated by a pathogenic self-antigen.

The examiner states that the three inventions lack the same or corresponding special technical feature. This requirement is respectfully traversed.

In order to be responsive, applicant hereby elects the invention of Group II, including the use of a pathogenic self-antigen, a peptide of said antigen or a modified peptide of said antigen. However, this election is made with traverse as the inventions of Groups I and III share the same or corresponding special technical feature for the following reasons.

What all of the groups have in common, and what defines them all over the prior art, is the concept that T-cells activated by a pathogenic self-antigen associated with a T-cell mediated specific autoimmune disease of the organ being treated, cause amelioration of the non-autoimmune disease, disorder or injury being treated. It does not matter whether the T-cells are activated *in vivo* by administration of the antigen, the T-cells are activated *in vivo* by administration of a nucleotide sequence that produces the antigen *in vivo*, or the T-cells are activated *ex vivo* and directly administered. In all cases it is the activated T-cells that are eventually the active agency in treating the disease. The concept of activating T-cells with a pathogenic self-antigen associated with a T-cell mediated specific autoimmune disease of the

specified organ is the special technical feature that is shared by all of the groups. This is the feature that defines over the prior art. Accordingly, reconsideration and withdrawal of this restriction requirement are respectfully urged.

The examiner states that claims 30 and 39-41 are generic to various patentably distinct species. The examiner has required election of a single disclosed non-autoimmune disease species for prosecution if no generic claim is finally held to be allowable.

Applicant hereby elects glaucoma as the non-autoimmune species, which is a non-autoimmune disease of the eye. It is understood, however, that all of the other species will be examined if the elected species is found to be allowable.

The examiner states that the application contains claims directed to a plurality of patentably distinct antigen species as recited in claims 33, 35, 37 and 38. Applicant has been required to elect a single disclosed species for prosecution on the merits to which the claims will be restricted if no generic claim is finally held to be allowable.

Applicant hereby elects the peptide of SEQ ID NO:5, an immunogenic but not immunopathogenic analog of the peptide

G-8 of the antigen S-Ag and which is specifically claimed in claim 38. It is understood, however, that all of the other antigen species will be examined if a generic claim is found to be allowable.

The following claims encompass the elected invention and the elected species: claims 30-33, 36, 38, 39 and 42.

As the unity of invention requirement must be withdrawn, for the reasons explained hereinabove, and as generic claims are believed to be allowable, prompt consideration on the merits and allowance of all the claims now present in the case are earnestly solicited.

Respectfully submitted,

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